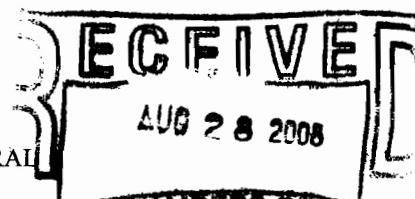


**MEMO ENDORSED**STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERALWriter's Direct Telephone No.  
(212) 416-8624ANDREW M. CUOMO  
Attorney General**BY UNITED STATES MAIL**

Honorable Gerard E. Lynch  
 United States District Judge  
 Southern District of New York  
 500 Pearl Street, Room 910  
 New York, New York 10007

Re: Joshua Liner v. Supt. Dale Artus, et al.  
08 Civ. 5886 (GEL)

Your Honor:

I am an Assistant Attorney General in the office of Andrew M. Cuomo, Attorney General of the State of New York, attorney for respondent in the above-referenced matter.

By order dated July 21, 2008, Your Honor directed respondents to file their response to the habeas corpus petition by August 29, 2008. Upon receipt of the order, our office immediately requested all of the relevant state court records and transcripts from the New York County District Attorney's Office and the New York County Supreme Court. While I have received the state court appellate records, I have yet to receive any of the transcripts, including the pre-trial, trial, and sentencing transcripts. Our office has made a follow-up request for the transcripts, but I do not anticipate receiving them in time to review them and draft a complete response to the habeas petition.

Therefore, I respectfully request a 45-day extension of time, until October 13, 2008, so that I can obtain the state court transcripts prior to filing our response to the petition. I have not sought any previous extensions in this case. ] k

I have not contacted petitioner concerning this request as he is proceeding *pro se* and is incarcerated. Thank you for your consideration.

\*SO ORDERED  
Gerard E. Lynch  
 GERARD E. LYNCH, U.S.D.J.  
 8/26/08

Respectfully submitted,  
  
 Ashlyn H. Dannelly  
 Assistant Attorney General  
 Habeas Corpus Section  
 (212) 416-8624

cc (by U.S. Mail): Joshua Liner  
04-A-4086  
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P.O. Box 2001  
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